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PATENT CASE NAME/No. 283-300

2876

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Response  
9/10/02  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Ehrhart

Serial No: 09/904697

Filing Date: 7/13/01

Title: AN OPTICAL READER  
HAVING A COLOR IMAGER

Group Art Unit: 2876

Examiner: Harold Pitts

RESPONSE

Assistant Commissioner for Patents

Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Assistant Commissioner for Patents, Washington, D.C. on August 22, 2002.

Lynn L. Pond

RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated 6/18/02, designated as Paper No. 6 in the above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 1-83 remain in this application.

**1. Examiner's Examination Criteria**

On page 2 of the Examiner's rejection, the Examiner sets forth his Examination criteria:

"Rejections will be based on the following criteria for applicant and/or counsel is ordinary skill in the art, i.e., a knowledge of all prior art including the ability to read, comprehend and to point out the claimed invention compared to the prior art concepts. The applicant is considered to have the pertinent prior art before him during conception and reduction to practice of the invention in light of this prior art including drafting the specification and claims. The applicant is considered to be aware that to merely substitute or additionally employ one or more references in a combinational sense would clearly be within the purview of obviousness, the motivation being the skilled artisan's recognition of the interchangeable teachings of similar systems and the expedient of a substitutive